

Form B9A (Chapter 7 Individual or Joint Debtor No Asset Case)

Case Number **09-10280**

UNITED STATES BANKRUPTCY COURT
District of South Dakota

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 12/23/09 .

You may be a creditor of the debtor(s). **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or online using CM/ECF (contact the clerk's office for more information regarding CM/ECF). NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Debtor(s):

Nicole Rose Eckland
fka Nicole Rose Davis
501 South 7th Street, Apt. 8
Milbank, SD 57252

Case Number:

09-10280

Social Security/Taxpayer ID Numbers:

xxx-xx-2017

Attorney for Debtor(s):

William E. Coester
PO Box 66
Milbank, SD 57252-0066
Telephone number: (605) 432-5544

Bankruptcy Trustee:

Forrest C. Allred
14 Second Ave SE Ste 200
Aberdeen, SD 57401
Telephone number: 605-225-3933

Meeting of Creditors:

Date: **February 4, 2010**Time: **08:30 AM**
 Location: **115 4th Ave SE, Rm 206-7, Federal
Building, Aberdeen, SD 57401**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

The presumption of abuse does not arise.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

To File a Complaint Objecting to Discharge of Debtor(s) or to Determine Dischargeability of Certain Debts:
4/5/10

To Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor(s) and the property of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult an attorney to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Foreign Creditors

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

225 S. Pierre St., Room 203
Pierre, SD 57501-2463
Telephone number: 605-945-4460
www.sdb.uscourts.gov

For the Court:

Frederick M. Entwistle
Clerk of the Bankruptcy Court

Hours Open: Monday – Friday 8:00 AM – 5:00 PM

Date: 12/23/09

SEE OTHER SIDE FOR IMPORTANT EXPLANATIONS.

EXPLANATIONS

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor(s) by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor(s); repossessing property of the debtor(s); starting or continuing lawsuits or foreclosures; and garnishing or deducting from wages of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor(s) may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for doing so. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor(s) is (are) seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor(s). If you believe the debtor(s) is (are) not entitled to receive a discharge under Bankruptcy Code § 727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of Debtor(s) <i>or</i> to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that deadline.
Exempt Property	The debtor(s) is (are) permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor(s) must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe an exemption claimed by the debtor(s) is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's(s') property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. You may also review them online, using CM/ECF (contact the clerk's office for more information regarding CM/ECF).
Foreign Creditors	Consult an attorney familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
Debtor Identification	Important notice to individual debtors: All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in the dismissal of your case.

— Refer to Other Side for Important Deadlines and Notices —

CERTIFICATE OF NOTICEDistrict/off: 0869-1
Case: 09-10280User: sstro
Form ID: b9aPage 1 of 1
Total Noticed: 19

Date Rcvd: Dec 23, 2009

The following entities were noticed by first class mail on Dec 25, 2009.

db +Nicole Rose Eckland, 501 South 7th Street, Apt. 8, Milbank, SD 57252-2652
 aty William E. Coester, PO Box 66, Milbank, SD 57252-0066
 tr +Forrest C. Allred, 14 Second Ave SE Ste 200, Aberdeen, SD 57401-4246
 ust Bruce J. Gering, 314 South Main Avenue, Suite 303, Sioux Falls, SD 57104-6462
 969917 +Accounts Management, Inc., PO Box 1843, Sioux Falls, SD 57101-1843
 969918 +Avera McKennan Hospital, PO Box 5045, Sioux Falls, SD 57117-5045
 969919 Bryan Johnson, DDS, PO Box 107, Milbank, SD 57252-0107
 969923 First Bank & Trust, PO Box 110, Milbank, SD 57252-0110
 969922 First Bank & Trust, PO Box 3038, Evansville, IN 47730-3038
 969925 Nathan Davis, 501 South 1st Street, Milbank, SD 57252
 969926 Preferred Credit, Inc., PO Box 1970, Saint Cloud, MN 56302-1970
 969927 +Sioux Falls Surgical Center, 910 East 20th Street, Sioux Falls, SD 57105-1079
 969930 +Wells Fargo Servicing Center, MAC Q2132-013, PO Box 94423, Albuquerque, NM 87199-4423
 969931 Wiles & Rylance, PO Box 227, Watertown, SD 57201-0227

The following entities were noticed by electronic transmission on Dec 23, 2009.

969920 EDI: CHASE.COM Dec 23 2009 17:18:00 Chase Card Member Services, PO Box 94014,
 Palatine, IL 60094-4014
 969921 EDI: RCSDLL.COM Dec 23 2009 17:18:00 Dell Financial Services, Dell Preferred Account,
 PO Box 6403, Carol Stream, IL 60197-6403
 969924 EDI: CBSKOHLS.COM Dec 23 2009 17:18:00 Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
 969928 EDI: WFFC.COM Dec 23 2009 17:18:00 Wells Fargo Card Services, PO Box 6412,
 Carol Stream, IL 60197-6412
 969929 +EDI: WFFC.COM Dec 23 2009 17:18:00 Wells Fargo Home Mortgage, 1 Home Campus, X2302-04A,
 Des Moines, IA 50328-0001

TOTAL: 5

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 25, 2009

Signature:

